IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5478 of 2005

Between:

G.Narasimha Nagendra Rao, s/o Subba Rao,
Licensee of Sri Swapna Wines, Palakol, West Godavari District.

..... PETITIONER

AND

1 The Commissioner of Prohibition & Excise Department, Government of Andhra Pradesh, Hyderabad.
2 The Deputy Commissioner of Prohibition and Excise, Kakinada, East Godavari District.
3 The Superintendent, Prohibition & Excise Department, West Godavari District.
4 The Prohibition and excise Inspector, Palakol, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ order or direction declaring the action of the 1st respondent in not disposing of the statutory appeal filed on 01-04-1999 questioning the order of the 2nd respondent in R.C.No.B2-2238/1998/B2 dated 17-02-1999 and in not ordering for the refund of licence fee as claimed by me in representation dated 24-02-2004 as illegal, arbitrary and violative of Art.14 and 19 of the Constitution of India and consequently direct the 1st respondent to dispose of the appeal dated 01-04-1999 and order for refund of the licence fee and pass such other order or orders.

Counsel for the Petitioner: MR.K.CHIDAMBARAM

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court at the stage of admission made the following :

ORDER:.

Heard both sides and at their request this case is taken up for disposal at the stage of admission.

This Writ Petition is filed seeking to declare the action of the first respondent in not disposing of the statutory appeal filed on 1.4.1999.

The main grievance of the petitioner is that the first respondent is not disposing of the appeal filed by him.

Having regard to the facts and circumstances and in view of the allegations made by the petitioner, the first respondent is directed to dispose of the appeal, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

With the above observation, the Writ Petition is disposed of. No Costs.

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D.S.R. VARMA, J

DATED: 17.03.2005

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Note: Furnish copy in two days.

To

1 The Commissioner of Prohibition & Excise Department, Government of Andhra Pradesh, Hyderabad.
2 The Deputy Commissioner of Prohibition and Excise, Kakinada, East Godavari District.
3 The Superintendent, Prohibition & Excise Department, West Godavari District.
4 The Prohibition and excise Inspector, Palakol, West Godavari District.

3. 2 CCs to G.P. for Prohibition and Excise, High Court of A.P., Hyderabad (OUT)

4. 2 CD Copies.